188570 Exhibit 2

I hereby certify this document to be a complete and exact Copy of the original as the same appears on file and of Record in my office and in my care and custody on this day of April 2018

Mary Hull Caballero

Auditor of the City of Portland By Keeper Farthur

Deputy

October 26, 2012

To: City Council

From: Mayor Sam Adams

Subject: Overview of Settlement Agreement between the United States, the City of Portland,

and the Portland Police Bureau

In February, 2009, Commissioner Dan Saltzman and I stood with community leaders to request an investigation by the United States Department of Justice Civil Rights Division to review the Portland Police Bureau for bias, regardless of whether or not it is intentional, unconscious or institutional. At the conclusion of that initial investigation, the United States found "insufficient evidence to pursue federal criminal civil rights charges against Portland Police Bureau officers" involved in the January 29, 2010 fatal shooting of Aaron Campbell. However, days later, the United States announced a federal investigation into Portland Police officers' use of force, to examine whether there is a pattern or practice of excessive force used by PPB officers, particularly against people living with mental illness.

When the Department of Justice announced its investigation, I said that I welcomed the inquiry and noted that we had even asked for a best practices evaluation. What I said then holds true today: "We are humble in the knowledge that we don't have it all figured out."

On September 13, 2012, the United States Department of Justice (DOJ) found that most uses of force by the Portland Police Bureau (PPB) were within constitutional limits. However, it did find reasonable cause to believe that there was a pattern or practice of unnecessary or excessive use of force in certain encounters between police officers and persons who had, or were perceived to have, mental illness.

Although the City does not agree with that legal finding, it did agree that PPB, as an organization committed to continuous improvement, could build on work in progress and pursue additional improvements. As a result, the City and DOJ have developed a proposed settlement agreement to resolve the areas of concern. Resolution of these issues will require all of our community – our citizens, our police force, our City leadership, and our mental health partners – to work together and engage in meaningful dialogue and decision-making. Some issues will require the expenditure of funds and others will require labor negotiations with our employee labor organizations. Those decisions will require council consideration in the future.

The Agreement is separated into several parts, which are summarized here:

1. <u>Use of Force</u>: PPB will retain its current force policies, which emphasize the use of less force than the maximum permitted by law. In addition, PPB will revise its force policies

to emphasize de-escalation techniques and the use of information known about the person encountered (if available).

In addition, new policies reflecting best practices will be instituted regarding Electronic Control Weapons (ECWs), such as TASERs. Such policies generally will require verbal warnings, restrict the use of ECWs on people suffering from mental illness, and prohibit their use on handcuffed suspects. Exceptions exist because of the dangers that police officers and citizens may face, such as when ECWs are necessary to prevent bodily harm to a person.

The agreement requires revisions to PPB policies regarding force reports, to ensure they are timely, complete and candid. New protocols will require review of force reports by supervisors and continue to require on-scene investigations by supervisors when a force event occurs. All supervisors in the chain of command are subject to discipline for the accuracy and completeness of force reports and investigations.

The use of force will also be subject to quarterly reviews and audits through an Inspector. Such reviews will look at a variety of factors, including the mental health information known to officers and how that played into their decision making. ECW reports will also be reviewed and audited. Supervisor actions will also be reviewed to ensure that they are appropriately reviewing and analyzing the use of force used by PPB officers. The Inspector has a myriad of other tasks, including whether significant trends exist and to identify and correct deficiencies revealed by this analysis.

2. <u>Training:</u> Training will be required on all force policies, both current and revised. The Training Division will revise and update PPB's Training plan annually to take into account problematic uses of force, input from the community, the latest in law enforcement trends and other factors.

PPB must also collect data for the purpose of improving future instruction and curriculum, including the extent to which PPB officers are applying the knowledge they have learned.

PPB must also train officers on the requirements of the settlement agreement. The Inspector will audit the training program using a list of performance standards that PPB must meet.

3. Community Based Mental Health Services DOJ recognizes that there are other participants in the mental health infrastructure besides the City that control the quality of mental health care, including the State of Oregon, Multnomah County, Community Care Organizations (CCOs), community mental health providers, health care and emergency department providers, private insurers, and many others. DOJ expects that these partners will assist the City to remedy lack of community-based addiction and mental health services to Medicaid and uninsured residents.

It is anticipated that CCOs will begin to implement recommendations of its mental health and addictions-focused work groups, which will include City of Portland representation, by mid-2013. These recommendations will include opportunities for first responders, such as PPB, to better interact with the health care system when a person who has encountered the police is having a mental health crisis and needs assistance.

4. <u>Crisis Intervention:</u> PPB has agreed to develop an Addictions and Behavioral Health Unit (ABHU) within 60 days of the agreement's effective date. That unit will manage and share data subject to lawful disclosure between government entities. It will also oversee PPB's Crisis Intervention Team, a Mobile Crisis Prevention Team and a Service Coordination Team.

An ABHU Advisory Committee comprised of individuals from across various government entities and mental health services providers (among others) will be established to assist the City as it provides services.

PPB will continue to provide Crisis Intervention training to all its officers. In addition, the City will establish a "Memphis Model Crisis Intervention Team" and recruit volunteer officers to serve on that team. Such members will receive additional specialized training and will be dispatched if a crisis event occurs involving someone with a real or perceived mental illness.

PPB will continue to have a Mobile Crisis Prevention Team (formerly known as a Mobile Crisis Unit) and expand that team to one car per PPB Precinct. The car shall be staffed by one sworn PPB officer and a mental health professional and shall be a full time assignment.

The Bureau of Emergency Management's 9-1-1 dispatchers will be trained so they can triage calls related to mental health issues to the appropriate first responder resource. The City will work with partners to identify opportunities for dispatchers to direct calls to mental health professional instead of police officers if and when appropriate.

- 5. <u>Employee Information System:</u> The City has an employee information system to gather data and assist issues affecting employees. This will be enhanced to more effectively identify at-risk employees so that proper training can occur.
- 6. Officer Accountability: The City will continue its system for review of officer misconduct, but will reduce the timeline for all administrative investigations to 180 days from the receipt of a complaint. This timeline includes appeals to the Citizens Review Committee.

The City will also revise its protocols for "compelled statements" from officers involved in force incidents to ensure that the law is followed while still obtaining timely information. The City must submit this protocol for DOJ approval

PPB's Police Review Board, which advises the Chief on administrative reviews and recommendations for discipline, will include a member from the Citizen Review Committee in cases where use of force is being reviewed. The Citizens Review Committee will be expanded to 11 members.

7. Community Outreach: There are a number of changes concerning community outreach. The Community and Police Relations Committee is part of the Portland Human Rights commission, and its function is to bring together members of Portland's diverse communities to improve community and police relations. The committee will be renamed the Community Oversight Advisory Board (COAB) and its functions and membership will change. Its new functions include assessing the implementation of the Settlement Agreement, providing information to the community about the Agreement and its implementation and to contribute to the development of a PPB Community Engagement and Outreach Plan.

The 20 member COAB, which includes 15 voting members and 5 advisory members, will be chaired by a Compliance Officer and Community Liaison (COCL). Voting members of the Board include the five Human Rights Commission members, five members chosen by City Council members and five members chosen by the community.

8. <u>Implementation:</u> The City will hire a COCL within approximately 90 days. The duties of the COCL including preparing quarterly public reports regarding PPB's compliance with the agreement hold quarterly town hall meetings and providing recommendations to ensure PPB is in compliance with the agreement.

In addition, PPB will designate a Compliance Coordinator to serve as a liaison between PPB, the COCL and DOJ. The Compliance Coordinator will coordinate PPB's compliance activities, provide data to DOJ and collection information for the COCL.

9. <u>Enforcement:</u> To permit federal court oversight, DOJ will file a complaint against the City and will file this settlement agreement at the same time. If disputes arise regarding PPB's compliance with the agreement, there is a dispute mechanism that favors discussions and mediation before court action.

We have worked toward an agreement that effects positive change in the way that the Portland Police Bureau provides service to the community. Thank you for your thoughtful review of this agreement. I look forward to your and the public's consideration of this item on November 1, 2012.

Respectfully submitted,

Mayor Sam Adams City of Portland

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hereby certify this document to be a complete and exact 188570 Copy of the original as the same appears on file and of Exhibit 3 Record in my office and in my care and custody on this

10th day of April 2018.

Mary Hull Caballero

DATE:

June 26, 2016

Auditor of the City of Portland By Sulan Tarkoux

Deputy

TO:

Dennis Rosenbaum, Amy Watson: Rosenbaum & Watson

Charles Hales: Mayor of Portland Mike Marshman, Acting PPB Chief

Adrian Brown: US Department of Justice, Portland Office Jonas Geissler: US Department of Justice, Washington DC

Rev. T. Allen Bethel Co-Chair AMAC Rev. Leroy Haynes: Co-Chair AMAC

FROM:

Kathleen Saadat, Chair, Portland COAB (6/1/2015-6/24/2016)

RE:

COAB Chair's Exit Report

I leave with you this compendium of my thoughts and recommendations related to my experiences as Chair of the COAB for the past year. I hope this digest proves of value in envisioning the work to be done in the continuing efforts to involve Portland communities in reform of the Portland Police Bureau.

CHAPTER I: THE DEAD HORSE (The Ghosts ride with us, still)



Members of COAB, the PPB, COCL and the public expressed to me concern that the lack of an adequate selection process and lack of an orientation and training for new COAB members is the root cause of current problems. I agree that the consequences of these omissions still have an impact on the functioning of COAB over a year later. Failing to adequately: 1) determine the viability of candidates; 2) insure candidates understood the COAB mission and structure; 3) insure candidates understood the status, role and responsibilities of COAB members; 4) facilitate a team building effort; 5) facilitate the setting of direction and priorities by the COAB made operation of this Board much more difficult than if information had been provided up front. Following are issues I believe to be the consequences of not providing that information and training.

- a. Lack of clarity regarding the COAB role and mission resulted in members of the COAB expressing frustration at being unable to steer the board in the direction they believed it should go, e.g., to hear complaints and bring them to the PPB for resolution; to hold individual PPB officers accountable for questionable behaviors; to investigate complaints from PDX residents
- b. Lack of clarity regarding process resulted in the seating of members not interested in reading volumes of material. This in turn resulted in the seating of at least one individual who, six months into the process had not read the settlement agreement
- c. Lack of clarity regarding role, mission and process meant members were seated who did not understand/accept they would be working with the PPB. This was at the heart of many conflicts between voting and non-voting board members, especially in subcommittees
- Lack of clarity regarding COAB's role and responsibilities resulted in the public s misunderstanding of the role of the COAB in the process of police reform, generating poorly informed and painful complaints and criticisms of the Board

e. Lack of clarity regarding the structure of the COCL/COAB, and its relationship to the Parties, added to public cynicism, distrust and negative feelings directed towards the COCL, the City and the COAB itself.

June 1, 2015, I started work as COAB Chair and the distress created by the of the lack of clarity/training was palpable. Expressions of anger, frustration, cynicism and distrust overshadowed the recognition of talent, passion and commitment of those serving on the Board. It has taken a year to provide the information and the support the Board members need in order to work together and to operate as a public body.

A year later, the relationships between/among members of the Board remain fragile, but for the most part are greatly improved. Individual talents and commitments have greater visibility to members of the Board and to the public. This recognition combined with the bonding that occurred at the COAB retreat (private) resulted in a board that operates in a manner more consistent with expectations of a public body. Members of the Board and members of the public noticed the change and expressed their pleasure with it.

To disregard the origins of problems associated with establishing the Board is to (unintentionally) place responsibility for those difficulties on the COAB. Obfuscation is not a way to build community support or improve relationships between the PPB and Portland communities. Board members did not know what they did not know.

CHAPTER 2: THE MUDDY TRACK: (Hurdles)

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Ц		te COCL office started work off the selection process for Community Board
		embers in October of 2015. Efforts have been stalled by confusion about roles
		d responsibilities regarding management and implementation of a selection
		ocess for alternates and new Board members
	Th	e process needs decisions to be made to establish:
		Which entity is in charge/responsible for insuring the development and
		implementation of the selection process now and in the future
	Ar	other selection process to be developed is that of deciding which of the
7	Cu	urrent Board Members will be invited to serve for another year. My
	red	commendation follows:
		Establish criteria, use documents: Guidelines for Establishing Common Ground and What We
		Expect From A COAB Member, and assessment of past performance
		Ask every Board member to submit their resignation indicating whether they would like to
		serve another year
		a. Tell interested people the selection committee will review their information and
		make selections based on the established criteria
		b. Using the established criteria rank order those selected
		c. Reappoint at least one third of 15 (5) if possible (fill vacancies in ranked order)
		Swear them in as public officials. (This is an important ritual, even the POTUS has to do it.)
	П	The newly formed Board will benefit from a closed (gasp!) retreat where returning members
		model and pass on the positive aspects of the Board culture formed over the last two years.

PPB Advisors

7	Some members of the PPB, do not appear to have accepted the reality of the
	Settlement Agreement. I have spoken with several who do not seem to
	understand that while the inappropriate behaviors may not be their own, as
	members of PPB, they are responsible to help shape a PPB with improved
	relationships to Portland residents.

PPB officers assigned to COAB should attend the two-hour COAB informational session and the COAB orientation session

PPB representatives on the COAB need <u>regular</u>, <u>focused institutional</u> <u>support</u>. They do not appear to have ongoing inspirational leadership that encourages them. PPB advisors are asked to work with a Board that challenges the policies and operations of the institution of which they are a part, which must present a challenge for them. They need ongoing institutional support from high level officials to help give them direction and the confidence that will allow them to be creative thinkers as they work with the voting members of the Board.

Institutional Barriers

The organizational/administrative processes for the City of Portland and the PPB, are meant to support the governance of the City and/or the operation of the PPB. Often those processes do not permit a timely response to requests that support the flexibility frequently required to meet the needs of the COAB. When institutional barriers are encountered, the resolution can take days, weeks, sometimes compromising the ability of the Board to conduct its business. One example; procurement procedures designed to serve Bureaus do not allow COAB to readily select meeting sites congruent with the need to engage community. One solution (recommended by the COCL Project Manager) is for the City to provide a Grant to fund COCL/COAB and annually audit expenditures.

The Portland COAB began amid a chorus of cries that it "would not work", was "designed to fail" etc. We insure continuation of that perception if we allow people to serve on the Board who are actively organizing against the existence of the Board, or who disregard Board agreements. Settlement Agreement requirements for the COCL to consult with DOJ prior to dismissal of a person from the Board is a problem. The arrangement does not allow for timely response to Board members whose behaviors undermine COAB goals and the morale of other Board members. Perceptions that neither the City nor the COCL can protect Board members from verbal assault and disrespect, undermines the credibility of the Board. Perhaps the COCL and the DOJ can agree upon behaviors that define misconduct (to be shared with all COAB members and the public). This definition would be used when considering whether to sanction and/or dismiss members who engage in clearly defined misconduct. By providing a foundation for a consultative discussion between COCL and DOJ, decisions are clearer and the establishment of criteria conveys a concrete idea of the seriousness of the business of the Board.

	an Decicion making, talino ity
	The admirable goal of collaborative decision making is not always attained. This
	means there needs to be clarity about how disagreements are to be resolved,
	who resolves which type of problem, and by what authority

I highly recommend regular quarterly meetings of ALL involved parties to insure the identification and resolution of issues, especially those stemming from institutional imbroglio's

☐ I highly recommend a position in the Mayor's office and the PPB, be empowered to make decisions that will facilitate timely resolution of COAB needs/requests

CHAPTER 3: THE JOCKEY (Chair on a Rocking Horse)

Overall Decision Making/Authority – Who is in charge?

As COAB Chair for the past year, I feel as if I have been trying to win the Derby while riding a three legged horse in a Missouri thunderstorm without reins or saddle. The position of Chair has lots of responsibility but little authority. The Chair is the person who on a regular basis interacts with representatives of the City, the DOJ, the PPB, the AMAC and the public. This position works to engage community leaders, groups and agencies in providing support and feedback to the board. Again, identifying a person in both the Mayor's office and the PPB who is **responsible for helping to insure the success of the COAB**, will lend institutional support to the COAB Chair and reduce the amount of time spent resolving issues. (Deanna Wesson-Mitchel, in the Mayor's office has been wonderful support in this regard but is not designated as the COAB connection.) This connection must remain a-political, insuring the COAB's independence from the influence of elected officials.

The COAB is large. To keep it engaged, a board this size needs lots of one on one attention to the members and lot's of administrative support. It is important to recognize that much of this Chair's time was spent talking with board members and attending subcommittee meetings as a means to establish necessary relationships to help build a foundation of trust. The new Chair may find a need to spend time doing the same.

Stipends remain a topic of discussion and as Chair, I encourage consideration of providing stipends for people who have a need for financial support in order to stay on the board. In the past year there were at least two Board members who might have used such resources had they been available.

In May of 2016 in a memo to COCL, I listed Leadership and Structural issues that need to be addressed if the the COAB is to succeed, see following pages 5, 6, 7.

SOME OF WHAT IS IN THE WAY OF SUCCESS (May 2016)

1. LEADERSHIP ISSUES:

- a. There is no apparent leadership group/person in charge of the overall work of driving the initiatives into the institution(s) being reformed
- b. There is no identifiable person or entity at the City level for providing the support the COAB needs
 - i. needs are negotiated as though COAB is a City Bureau
 - ii. there is no structure internal to the City where final process decisions are made unless it is a legal issue
- c. There is no inspirational leadership (by definition a consistently visible advocate) at City Hall, championing police reform
- d. There does not appear to be inspirational leadership at the PPB (by definition a consistently visible advocate)
- e. PPB does not appear to have the skill set to facilitate the art/science of institutional transformation
- f. The manifestation of commitment to the success of COAB is not evident in the behaviors of the responsible entities i.e. The City and PPB.
 - i. Advisor attendance at COAB meetings continues to decrease
 - ii. City Council, the body ultimately responsible for successful implementation of the SA, is barely visible on the issue of the work and success of the COAB
- g. Communication between/among all concerned is often focused on the elements of the big picture rather than the big picture itself. There does not appear to be active leadership to build and guide a coordinated effort to discuss and set objectives for the superordinate goal of Portland police reform. (COAB should be involved.)

2. STRUCTURAL ISSUES

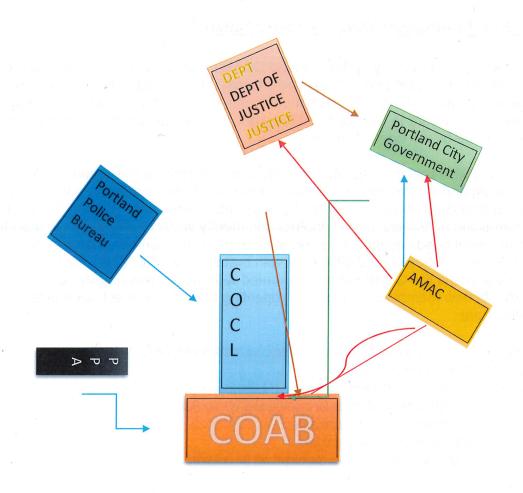
- a. The dependent relationship between the COAB and the slow moving, established institutions which influence, fund and/or direct some aspects of the COAB, results in an inability for the COAB to be agile, timely and creative in response to the challenges of doing the work of public engagement.
- b. The COAB is influenced by institutions that affect changes in COAB direction or operation but upon which the COAB has little/no impact and cannot rely upon timely responses to requests

- c. The role and responsibility of the City and AMAC in COCL/COAB administrative issues needs clarification
- d. In this structure, the City Attorney's office serves two masters a reality that does not engender trust of either the PPB or the City
- e. The COCL and COAB Chair lack the authority to make decisions that would allow for the operation of an efficient and effective COAB, i.e. timely removal of Board members.
- f. There does not appear to be a formal mechanism that regularly (and predictably) brings together the institutional players to make coordinated decisions and set objectives for the attainment of the *superordinate goal* of *Portland police reform*. (COAB should be involved.)

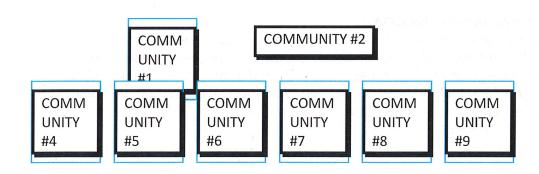
The drawing below is an attempt to add a visual to the idea of how the entities that surround and affect COAB seem disconnected. It is not intended to be an accurate representation; I would need more arrows.

The issues I have raised in no way imply malice or incompetence by anyone involved. Nor do I indict anyone in this report. I think we are not focused on one of the "real" jobs, i.e., figuring out how to work outside of our respective silos so that reform can indeed happen and has meaning for the people most vulnerable to unconstitutional practices.

The upshot of all this is that a powerful opportunity to manifest expression of basic democratic principles by insuring community input and involvement, is slipping from our grasp along with the hope that "this time it will be different".







CHAPTER 4: SEABISCUIT WINS! (Making it better) 🎉

Over the past year a majority of the Portland COAB members gained a sense of their mission and an understanding of the Board's focus. The strength of the Board will continue to improve as long as there is meaningful work to do and institutional support that 1) allows the Board to be able to do the work; 2) respects and acknowledges the work being done by the Board members.

The Board is still in the "forming" stage. While not all members are in concert, those that do not support the existence and goals of the COAB are now in the minority. There are several Board vacancies to be filled by designated persons or organizations. There are no remaining alternates should another community vacancy occur. While selection and replacement needs might still be met in time, given the number of people involved on the selection committee and difficulties with meeting schedules etc., the time is rapidly passing and the COAB will be confronted with the need to quickly select replacements/new members at the risk of repeating the Dead Horse Experience. My suggestions are:

Expedite contact of selection committee members to determine interes
Expedite meeting of the selection body
Identify Process issues to be decided upon at initial meeting
 Solicitation of applications for membership on the Board
Review and ranking of applicants

- Interview questions and process
- Final determination of how members will be selected

Informed Participation on The COAB:

To support the success of the COAB it is important to provide new COAB members a realistic view of their roles and responsibilities. Below is an outline of information recommended to be given to potential applicants BEFORE they complete/submit an application. The information session is intended to support self selection of candidates. The following outline was submitted to the parties in March of 2016 for inclusion as part of the the selection process.

RE: TWO HOUR INFORMATION SESSION

Draft submitted 3/7/16

Below is an outline for a two-hour information session to be given to applicants to the COAB. It is written knowing that it is most efficient to have applicants self-select, based on the congruence (or incongruence) of their skills and expectations with realistic information about the COAB. Attendance at an information session Is a required part of the application process. If we have fewer applicants than one might expect, it means to me that we have done a good job of being clear that COAB work is hard and carries great responsibility. We are looking for people who are willing to be responsible and are also committed to hard work.

The outline below addresses three significant areas in which, in my experience as COAB Chair, COAB members seemed to have the greatest problems adjusting to being on the Board.

- 1. Reading/understanding/agreeing with the Settlement Agreement
- 2. Understanding role of the COAB and relationship to other parties
- 3. Understanding Public Meeting/Public Records Law

pro	pose	that:

The COAB Chair act as overall facilitator for the session
#1 THE SETTELEMENT AGREEMENT information, be presented by DO.
#2 THE COMMUNITY OVERSIGHT ADVISORY BOARD information, be
presented by COAB Chair
#3 OREGON LAW AS IT RELATES TO COAB MEMBERS information, be
presented by City Attorney's Office

Printed materials would be sent to each applicant prior to the session. The session would be evaluated by the attendees as to its helpfulness in making a decision regarding participation on COAB.

The last page in this packet lists a few questions I believe will be helpful to ask when interviewing potential COAB members.

Please keep in mind that we don't need for all members of the COAB to have college degrees or be employed at a professional level. We want to keep the spectrum of voices and experience that will help make things better for the greatest number of people in our City.

Kathleen S. 3/7/2016

COAB APPLICANT INFORMATION SESSION (ESTIMATE TWO HOURS DELIVERY TIME)

PURPOSE: TO ENSURE APPLICANTS TO THE COMMUNITY OVERSIGHT ADVISORY BOARD UNDERSTAND ROLES, RELATIONSHIPS AND RESPONSIBILITIES THAT INFLUENCE THE WORK OF A COAB MEMBER

- 1. THE SETTLEMENT AGREEMENT 40 MINUTES
 - a. THE DOJ INVESTIGATION/FINDINGS
 - b. REVIEW SETTLEMENT AGREEMENT FOCUS ON SECTION IX
 - i. COAB
 - ii. ADVISORY NATURE OF BOARD
 - iii. DOJ ROLE RE THE COAB
 - c. Q & A
- 2. THE COMMUNITY OVERSIGHT ADVISORY BOARD -30 MINUTES
 - a. STRUCTURE
 - i. COAB BY-LAWS (attached)
 - ii. GROUND RULES (attached)
 - iii. WHAT IS EXPECTED OF COAB MEMBERS (attached)
 - b. ROLES OF VOTING MEMBERS/NON-VOTING MEMBERS
- 3. OREGON LAW/AS IT RELATES TO COAB MEMBERS 40 MINUTES
 - a. PUBLIC OFFICIAL
 - b. PUBLIC MEETING LAW
 - i. REQUIREMENTS SURROUNDING PUBLIC MEETINGS
 - ii. AVOIDING EMAIL DISCUSSIONS OF COAB BUSINESS?
 - c. PUBLIC RECORDS LAW
 - MANAGING COAB INFORMATION ON YOUR PERSONAL COMPUTER
- 4. FINAL QUESTION AND ANSWER SESSION 10 MINUTES

INTERVIEWS: There were no interviews conducted for those selected from the Community to serve on the COAB. The following interview questions were developed to help determine an applicant's eligibility to serve on the BOARD. These are not intended to be an exhaustive list of questions:

SUGGESTED INTERVIEW QUESTIONS (for both Voting and non-voting members)

- 1. Have you read the Settlement agreement?
 - a. If the answer is no, ask if about circumstances that prevented reading it
 - b. Consider the answer to this as it relates to doing the work, e.g. will COAB be able to make a reasonable accommodation?

- 2. Do you have any questions about section IX in the SA related to the COAB?
 - a. Do you have strong disagreements with anything you read in the Settlement Agreement? (if the answer is "yes" ask question (b) below)
 - b. If selected to serve on COAB, how will you handle your disagreements?
- 3. It is important that COAB members work with members of the Portland Police Bureau/Community at large, in order to create relevant and durable recommendations, please tell us how you will help this effort.
- 4. What is your approach to working as a peer with groups of people? Please tell us how you worked with Community Groups, Advisory Boards, Ad hoc committees or other groups with which you have worked.
- 5. How do you understand the work of this Board as it relates to the overall goals of police reform?
- 6. What are your reasons for wanting to serve on the COAB?

While the PPB Advisors are non-voting, every effort should be made to include them in orientation and training as possible to help them feel and be considered members of the Board.

CHAPTER 5: THE TRIPLE CROWN: (We Are The Champions!)

Intelligent, creative, committed and passionate volunteers are waiting to be used in the service of PPB police reform. One of the perhaps unacknowledged (unexplored?) realities is that associated parties and institutions will also have to change if community engagement is to be a success. Most governments are not designed to optimize involvement of the public. Some bureaus/agencies without intention, discourage involvement by use of jargon/alphabet soup and "red tape" processes that make the public feel unwelcome. Once engaged, there should be institutional efforts made to keep Portland residents involved in working with the PPB.

Following are additional ideas/observations for consideration.

T	K	E	F	D	•
		_			

COAB should remain unattached to any particular City body or commissioner,
but the City must find ways to smooth the bureaucratic pathways so the COAB
(and the PPB) can be more responsive as they engage the community
Subcommittees: keep them, they allow for greater community involvement and
discussion: require each subcommittee to submit a mission statement and a work
plan: COAB Chair should meet with committee Chair to review
2-year commitment for volunteers with the option of an additional year, anything
less does not allow enough time for new members to fully engage. Institutional
memory and cultural carryover are important.
Police Advisors keep and clarify their role; the full COAB should have some input
into this clarification but above all, the Advisors need to know they have
institutional backing. There was talk of having advisors attend meetings "on
demand" which I oppose (see attachment page 19)
Public Comment period: The structure of public comment period is not the
problem, structure can be changed to fit the circumstances as when the COCL
asks for public comment on individual recommendations in addition to general
comment time or extends time for some comments

TO DISCUSS - REFINE - DECIDE UPON

- ☐ Chair's position in relation to COCL
 - If relationship discontinued, need for COAB champions in Mayor's and PPB offices more critical,
 - may politicize selection and work of the Chair
 - If disconnected, to whom does Chair report and still remain free influence of elected officials?
 - o If retained in COCL, clarify relationship to local entities involved in reform
 - Mayor's office
 - PPB Chief
 - PPB Advisors
 - AMAC
 - DOJ
- ☐ Chair responsibility and authority to establish timelines and design processes

	and procedures for those things that impact the COAB operation, including
	design of selection process. (Community may have input into design and <u>must</u>
	be part of the process. Committee makes final selection using a process and
	operating on a timeline established by the COCL-COAB)
	One to two days, twice a year
	Closed meeting unless COAB decides otherwise
	City Attorney in attendance
	institutional interfaces and make recommendations for resolution. Should include
	members of the COAB Executive Committee if that committee is retained in
	reorg. Resolve City problems with other committees (e.g. HRC, CRC) that have an
	impact on COAB as per the Settlement Agreement. COAB is dependent upon
	them for appointments to the board and information exchange (or remove
	references from SA which I think would be a mistake)
	reservations from extraminary annial reservations
TO A	ADD:
	Visible, audible and ongoing support by City Council members for the COAB.
	Increase visibility by having COAB chair and COAB Executive Committee Chair
	give quarterly update at Council meetings (20 minutes)
	Commissioners coordinate sending reps to Full COAB meetings where they
	announce presence and thank COAB.
	Professional support to develop plan for COAB dissemination of Information to
	the Public re: status of implementation of settlement agreement. COAB needs
	office support dedicated to development of content/copy for dissemination of information to the public via print and social media etc.
П	Empowered contact/troubleshooting person both in Mayors office and in PPB
	who is dedicated to success of COAB and facilitates responses, fills requests etc.
	Hire an Organizational Transformation expert to work with City and PPB to
П	develop organizational structures and plans that facilitate the institutional
	change being sought. The COAB should also be educated on the
	complexities and processes involved in organizational transformation (this
	is where Cultural Change starts)

CHAPTER 6: Cooling Down (Slow walk around the track avoiding the Dead Horse)

Suspension of COAB meetings for a time is an excellent idea. After a year of extremely hard work and recent traumatizing incidents, there is a need to reflect and consider next steps for the COAB. Recent Disruptions cannot be resolved by the COAB. To the extent COCL and the City continue to try and solve the disruption problem by adjusting the format and processes of the COAB, the public will tend to see the problem as one belonging to COAB. This will make recruitment of committed Board members even more difficult.

ATTACHMENTS

1. Guidelines for Establishing Common Ground	p 15
2. What is Expected of a COAB member	p 16
3 Exit Letter to AMAC Co-Chairs	p 17
4. Letter re role of PPB Advisors on COAB	p 19
5. Links to articles on Organizational Transition	p 21

PORTLAND COMMUNITY OVERSIGHT ADVISORY BOARD

Guidelines for Maintaining Common Ground Approved September 10, 2015

As COAB members we assume responsibility for the quality of our work together, during meetings, discussions and all other communications. We agree to:

- Abide by these ground rules
- · Critique ideas, not people
- · Work toward shared understanding
- Speak from personal experience, without generalizing, use "I" statements. Speak to all with the utmost respect.
- · Avoid "cross talk," listen respectfully when others are speaking
- · Listen actively and attentively, seek to understand
- Share the air, refrain from monopolizing discussions and encourage participation by everyone
- Challenge ideas in a respectful manner, avoid put-downs (even humorous ones) or other attacks on individuals
- · Ask for clarification when unsure or confused
- Exit meetings in a way that is non-disruptive to the group dynamic
- Recognize the legitimacy of people's feelings and support COAB members in expressing their feelings in ways appropriate to the setting.
- · Hold one another accountable to keep agenda times and focus
- · Support the Chair in managing meetings
- Turn cell phones off or to vibrate and make no calls or texts during meetings except in case of an emergency
- During meetings use laptops only for meeting business (note-taking, assigned tasks)
- Use the Parking Lot for thoughts and ideas not relevant to current conversation

PREPARED FOR CITY'S ADA CONTACT REGARDING A COAB MEMBER
DOCUMENT NOT YET RELEASED TO COAB BUT SHOULD BE DISCUSSED ALSO USED FOR ORIENTATION

WHAT WE EXPECT FROM A COAB MEMBER

Created by the 2012 Settlement Agreement (SA) between the City Of Portland and the United States Department of Justice The Community Oversight Advisory Board (COAB) was is authorized to:"(a) independently assess the implementation of the Agreement; (b) make recommendations to the Parties and the COCL on additional actions; (c) advise the Chief and the Police Commissioner on strategies to improve community relations; (d) provide the community with information on the Agreement and its implementation; (e) contribute to the development and implementation of a PPB Community Engagement and Outreach Plan ("CEO Plan"); and (f) receive public comments and concerns. The SA also stipulates: The COAB shall report to the COCL. The COCL will chair the COAB, preside over COAB meetings, take and count votes, and perform such other activities as are necessary for the efficient operation of the COAB."

Ultimately the COAB serves as a trusted advisor to The COCL, The City of Portland, the Portland Police Bureau and the US Department of Justice.

The COAB reviews and analyzes reports, directives and processes and makes policy recommendations on same. COAB is involved in the work of Community Outreach. Community Outreach is essential if Portland residents are to become engaged in the development of the Portland Police Bureau's Community Outreach Plan, and give feedback on what does and does not work. COAB members must:

	Agree with the purpose and intent of the COAB, actively support the mission of COAB
	Understand and accept the stipulations set forth in the Settlement Agreement
	 Understand the structure created by the Settlement Agreement
	 Work collaboratively with the COCL team
	 Understand the role of the COAB Chair
	 Work directly with the Chair of the COAB
	Understand the COAB BY-LAWS
	 Work within the COAB bylaws
	 Defer to Chair for resolution of ambiguities
	Accept the responsibilities of being a Public Official
	Work cooperatively with both Voting and non Voting COAB board members
	 Abide by COAB GUIDEINES FOR MAINTAINING COMMON GROUND
	 Build positive relationships with other COAB board members
	 Willing to work with members of the Portland Police Bureau and COAB's Police
	Advisers
	 Attend Trainings that provide information related to the work of the COAB
	Interact with members of the Portland community at meetings
	Demonstrate accountability
	 Complete assignments in a timely manner
	 Participate in and contribute to the work of a subcommittee
	 Attend scheduled meetings, using telephone or other options if you can't be there i
	person
	 Keep appointments and let others know as soon as possible if you will be absent of
	need to reschedule
_	Contribute to the efficient and effective operation of the COAB
	Help establish a positive group rapport where COAB and its subcommittees can work
	Respond promptly to communication email, text and/or phone, that comes from
	 COCL Team (including the Chair), Project Manager, Administrative Support)
	 COAR members/Subcommittee members

June 7, 2016

TO:

Dr. Bethel & Dr. Haynes, AMAC Co-Chairs

FROM:

Kathleen Saadat, Chair COAB

RE:

Exit notes: (not exhaustive)

6/1/2015

- 1. The difficulties of start up including the need for training, orientation and induction as public officials reverberated within the COAB and manifest as fragile relationships upon the board and continuing questions about roles and relationships, a lack of cohesion and focus for the Board
- 2. A lack of clear goals for COAB, absence of both authoritative leadership and definitions of terms created confusion among board members and the public
- 3. A lack of structures to enable effective processes lead to confusion as to how the Board would accomplish and document its work

6/1/2016

- 1. Board members have received training in those areas directly related to their roles as COAB Members. Roles are clearer and while relationships have improved, they remain fragile. The Board works better as a unit and has passed over 50 recommendations on to the DOJ.
- 2. Goals and focus of the COAB have been clarified and posted and progress will be discussed by full COAB June 9, 2016.
- 3. Structures for processes have established and are regularly used by the COAB to accomplish and document its work

In the past, most of the focus of the AMAC has been on a critical analysis of the particulars of the COAB with the goal of improving its function. To enhance that effort, it would be helpful to have leadership acknowledge the accomplishments of the COAB. The COAB needs to be inspired; AMAC leadership can provide that inspiration.

Recommended Focus for AMAC

- 1. Publicly support the work of the COAB
 - a. Using AMAC influence and connections to increase attendance and participation in:
 - i. THREE BIG QUESTIONS Community input sessions
 - ii. Attendance and public comment at regular COAB meetings
- 2. Support the COAB Chair
 - a. Regular check-in
 - b. Discuss AMAC concerns and try to reach resolution in private

- c. Discuss needs for AMAC intervention/support
- d. Ask the COAB Chair about the interactions between the Bureaucratic entities involved in the reform and their impact on the ability of the COAB to do its work
- 3. Ask what methods are being used by the PPB to insure institutional transformation including a change in the culture?
 - a. What systems are in place to drive initiatives into the organization?
 - b. Within the PPB who are the persons (or positions) responsible for managing the implementation and what authority do they have
- 4. Make recommendations for any substantive changes to the Settlement Agreement